

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ENTESAR OSMAN KASHEF et al., :
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Plaintiffs, :
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-against- :
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BNP PARIBAS SA, et al., :
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Defendants. :
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**ORDER REGULATING
PROCEEDINGS**

16 Civ. 3228 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

A conference was held on November 18, 2024 to appoint a Special Master and a Notice Administrator, and to regulate other issues.

- 1) Professor Daniel J. Capra was appointed Special Master, and an order to that effect was filed.
- 2) Epiq Class Action & Claims Solutions, Inc. (“Epiq”) was appointed Notice Administrator, a Declaration of its responsible officer, Cameron Azari, was received and filed, and an order appointing Epiq was filed.
- 3) As to the Notice to be sent to class members:
 - a. The Government will provide its last current list of potential class members by December 6, 2024.
 - b. The form of notice, as agreed to by the parties, with the help of, as needed, the Special Master, was submitted in draft, for my approval, and thereafter promptly to be settled. The notice is to provide for opt outs and, for those wishing to be eligible for recoveries by trial or settlement, a requirement to opt in and to declare willingness to answer a questionnaire soon to follow.

- c. The methodology of providing “the best notice that is practicable under the circumstances,” Fed. R. Civ. P. 23(c)(2)(B), as outlined by the Declaration of Cameron Azari, of Epiq, namely, mailing to members of the class to their last given addresses and advertising and use of media likely to be seen by members of the class, was approved.
 - d. All aspects of notice shall be embodied in a consent order to be submitted for my approval by December 18, 2024, with notice to be effected by January 18, 2025.
- 4) As to a questionnaire to elicit relevant information to support the claims of those class members who opt in:
 - a. The parties, with the assistance of the Special Master, shall create a questionnaire for eliciting relevant information of individualized damages suitable for incorporation in a database. The questionnaire shall be submitted for my approval, by January 13, 2025.
 - b. The parties will appoint technical specialists who will be charged with the creation of a database comprised of answers given to the questionnaire. A proposed order to this end shall be submitted for my approval by November 25, 2024.
- 5) All opt-ins and opt-outs from potential class members shall be received by June 24, 2025.
- 6) The target date for receiving responses to the questionnaire is set at July 11, 2025. The responses shall be received as the parties and Special Master agree, with strict security being assured.
- 7) The next status conference is scheduled for January 9, 2025 at 10:30 a.m. in Courtroom 14D. No later than January 6, 2025, at 12:00 p.m., the parties shall jointly submit to the Court (via the email address HellersteinNYSDChambers@nysd.uscourts.gov) a list of all

counsel expected to appear on the record, and an agenda for points either party wishes to discuss.

SO ORDERED.

Dated: November 24, 2024
New York, New York

/s/ Alvin K. Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge